

W.D.N.Y.
08-cv-380
Skretny, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 18th day of June, two thousand fourteen.

Present:

Barrington D. Parker,
Denny Chin,
Raymond J. Lohier, Jr.,
Circuit Judges.

Gail Hinterberger, *et al.*,

Petitioners,

v.

14-1089

Catholic Health System, Inc., *et al.*,

Respondents.

Petitioners move, pursuant to Federal Rule of Civil Procedure 23(f), for leave to appeal the district court's order denying their motion for class certification. Upon due consideration, it is hereby ORDERED that the petition is DENIED because an immediate appeal is unwarranted. *See Sumitomo Copper Litig. v. Credit Lyonnais Rouse, Ltd.*, 262 F.3d 134, 139-40 (2d Cir. 2001).

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk


